

### REMARKS

The Examiner is thanked for the careful examination of the application. However, in view of the foregoing amendments and the following remarks, the Examiner is respectfully requested to reconsider and withdraw the rejections.

Claims 11, 12, 14, 15, 17 and 18 are rejected under 35 U.S.C. §102(b) as being allegedly anticipated by USP 5,689,590, hereinafter *Shirasawa*.

Claim 11 claims an image processor, claim 14 claims a method of image processing, and claim 17 claims a computer program. The image processor includes first and second decision controllers, and a color decision controller. The first decision controller decides whether each input color component gradation value of a target pixel exists in a respective first range for each of the color components. The second decision controller which performs a linear calculation between each color component gradation value of the target pixel and decides whether results of the calculation exist in a respective second range for each linear calculation that is different from the first ranges. The color decision controller decides that the target pixel has a specific color when the first decision controller decides that each color component gradation value of the target pixel exists in the first ranges and the second decision controller decides that the results exist in the second ranges.

Through the structure of the claimed invention, deciding whether a particular pixel is a different color or is noise can be efficiently determined by comparing each color component gradation values of the target pixel with the other color component gradation values of the target pixel and deciding whether results of the calculation exist in a respective second range for each linear calculation that is different from the first ranges, as performed by the second decision controller. See the flowchart in

Figure 8, paragraphs [0043] to [0047] and Figure 9 of the published application for a description of one preferred embodiment. However, the present invention is not limited to the disclosed preferred embodiments.

In contrast to claim 11, *Shirasawa* does not teach or suggest comparing each color component gradation values of the target pixel with the other color component gradation values of the target pixel and deciding whether results of the calculation exist in a respective second range for each linear calculation that is different from the first ranges, as performed by the second decision controller. In *Shirasawa*, the system compares the maximum value of the three components r, g, b with a threshold th1. The system then calculates an absolute value of max – min by determining the difference between the value of the color component with the highest value and the value of the color component with the lowest value. The absolute value of max – min is then compared with threshold th2. See column 17, lines 48 – 62. There is no teaching of **respective** second ranges in *Shirasawa*. Accordingly, the system of claim 11 obtains more accurate results than simply using a threshold as is taught by *Shirasawa*.

Thus, *Shirasawa* does not teach or suggest the second decision controller which performs a linear calculation between each color component gradation value of the target pixel and decides whether results of the calculation exist in a respective second range for each linear calculation that is different from the first ranges. Such would require three calculations as illustrated in block S1047 in the exemplary embodiment illustrated in Figure 8.

Claims 14 and 17 are similar to claim 11, and claims 12, 15, and 18 depend from claims 11, 14, and 17. Thus, the prior art does not show, teach or suggest the invention as claimed in claims 11, 12, 14, 15, 17, and 18.

Claims 1, 3, 5, and 8 are rejected under 35 U.S.C. §103 over *Shirasawa* in view of USP 6,167,167, hereinafter *Matsugu*.

Claim 1 claims an image processor, claim 5 claims a method of image processing and claim 8 claims a computer a program. The image processor includes first and second decision controllers, and a color decision controller. The first decision controller decides whether each input color component gradation value of a target pixel exists in first ranges. The second decision controller decides whether differences between each color component gradation value of the target pixel and those of pixels adjacent thereto exist in a respective second range for each linear calculation that is different from the first ranges. The color decision controller decides that the target pixel has a specified color when the first decision controller decides that each color component gradation value of the target pixel exists in the first ranges and the second decision controller decides that the differences exist in the second ranges.

As set forth above with respect to claim 11, there is no teaching of **respective** second ranges in *Shirasawa*. Accordingly, the system of claim 1 obtains more accurate results than simply using a threshold as is taught by *Shirasawa*. Furthermore, Applicants reserve the right to challenge the Examiner's analysis of *Matsugu* and the alleged reasons for combining the prior art references at a later time if necessary and appropriate.

Claims 5 and 8 are similar to claim 1, and claim 3 depends from claim 1. Accordingly, they are thus also patentable at least for the reasons set forth above.

Claims 2, 6, 9, and 20 – 25 rejected under 35 U.S.C. §103 over *Shirasawa* and other secondary references. They are dependent claims and are patentable at least for the reasons set forth above with respect to the claims from which they depend.

Thus it now appears that the application is in condition for reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested.

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is requested to contact, by telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.


In the event that this paper is not timely filed within the currently set shortened statutory period, Applicants respectfully petition for an appropriate extension of time. The fees for such extension of time may be charged to Deposit Account No. 02-4800.

In the event that any additional fees are due with this paper, please charge  
our Deposit Account No. 02-4800.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

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